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Attorneys for Plaintiff
 RES-CARE, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RES-CARE, INC.,

Plaintiff,

v.

ROTO-ROOTER SERVICES
 COMPANY, ROTO-ROOTER
 CORPORATION, BRADFORD-WHITE
 CORPORATION, LEONARD VALVE
 COMPANY, and DOES 1 through 20,
 inclusive,

Defendants.

No. C 09 03856 EDL (LB)

**JOINT STIPULATION AND (PROPOSED)
 ORDER TO TAKE SETTLEMENT
 CONFERENCE OFF CALENDAR**

Date: September 7, 2010
 Time: 10:30 a.m.
 Judge: Hon. Laurel Beeler
 Room: 4, 3rd Floor

Action Filed: August 21, 2009
 Trial Date: November 29, 2010

Plaintiff RES-CARE, INC.; Defendants ROTO-ROOTER SERVICES COMPANY
 and ROTO-ROOTER CORPORATION; and Defendant LEONARD VALVE COMPANY
 (the "Parties"), by and through their respective counsel of record, hereby stipulate and
 agree to take the take the Settlement Conference currently set for September 7, 2009,
 off calendar.

Good cause exists for taking the current Settlement Conference date off calendar
 because a hearing on Defendants' respective Motions for Summary Judgment is
 currently scheduled for September 16, 2010, which the Parties believe will detract from

1 the effectiveness of the Settlement Conference.

2 The Parties request that the Court reschedule the Settlement Conference for a
3 date after the Court has had an opportunity to rule on Defendants' Motions for Summary
4 Judgment.

5 DATED: August 28, 2010

HANSON BRIDGETT LLP

6 //s//

7 JAMES A. NAPOLI
LORI C. FERGUSON
Attorneys for Plaintiff, RES-CARE, INC.

8 DATED: August 27, 2010

SIMONCINI & ASSOCIATES

9 //s//

10 KENNETH D. SIMONCINI
11 KERRI A. JOHNSON
ANGELA G. OMPOC
12 Attorneys for Defendant, Roto-Rooter
Services Company, Roto-Rooter
13 Corporation

14 DATED: August 27, 2010

CREMER, SPINA, SHAUGHNESSY,
JANSEN & SIEGERT, LLC

15 //s//

16 WILLIAM J. CREMER
THOMAS R. PENDER
17 Attorneys for Defendant, Leonard
Valve Company

18 DATED: August 27, 2010

CANNATA, CHING & O'TOOLE LLP

19 //s//

20 THERESE Y. CANNATA
21 JOSEPH C. WRIGHT
22 Attorneys for Defendant, BRADFORD
WHITE CORPORATION

23 **(PROPOSED) ORDER**

24 IT IS HEREBY ORDERED that the September 7, 2010 Settlement Conference be
25 taken off calendar.

26 The Honorable
27 U.S. District Court Judge

